

**FILED**

**JUL 12 2017**

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA McNAMARA,

Defendant.

**4:17CR312 SNLJ/DDN**

**INDICTMENT**

The Grand Jury charges that:

**A. INTRODUCTION**

At all times relevant to this Indictment:

1. Corporate Investment Advisor, LLC (CIA) was a company registered in the State of Missouri by Joshua McNamara (hereafter McNamara). CIA was operated by J.H. and McNamara. CIA operated as a telemarketing company as that term is defined in Title 18 United States Code, Section 2325.

2. A “call center” is a place from which telemarketers make telephone calls to prospective clients.

3. “Lead lists” consist of names, addresses and telephone numbers of prospective clients.

4. “Pitch sheets” are scripts which tout the promotion of the goods or services provided by the telemarketing company and are designed to be read over the telephone to the prospective clients.

B. **THE CONSPIRACY**

5. From on or about July 27, 2012 until February 7, 2013, in the Eastern District of Missouri, and elsewhere,

**JOSHUA McNAMARA,**

the Defendant herein, together with those known, including J.H. and those unknown, did knowingly and willfully agree and conspire to commit the following offenses against the United States:

a. Mail Fraud, that is, devising a scheme and artifice to defraud and obtain money and property by means of materially false and fraudulent pretenses, representations, and promises and in executing and attempting to execute said scheme, caused to be delivered by the United States Postal Service certain matter and things, in violation of Title 18, United States Code, Section 1341; and

b. Wire Fraud, that is, devising a scheme and artifice to defraud and obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and in executing and attempting to execute said scheme, caused writings, signs, signals, and sounds to be transmitted by means of wire in interstate commerce, in violation of Title 18, United States Code, Section 1343.

C. **MANNER AND MEANS**

6. The means and methods by which the conspiracy was sought to be accomplished included, among others, the following:

a. Defendant and his co-conspirators falsely represented that CIA was in the business of selling timeshare properties. These false representations were made over the telephone and on a website.

b. Defendant and his co-conspirators targeted residents across the United States by obtaining names of individuals (victims) who owned timeshare properties and were offering them for sale on Craigslist.

c. Defendant and his co-conspirators contacted the victims, and using pitch sheets and variations thereof, telemarketed CIA's non-existent services. Victims were induced to wire or mail payment into the Eastern District of Missouri as escrow for the proffered, but actually non-existent, services.

d. Defendant and his co-conspirators created fraudulent sales contracts purporting to name a buyer for the victim's timeshare property when in fact no effort was made to obtain a buyer and no such individual existed.

e. CIA made no attempt to perform the services contracted by the victims. Defendant and his co-conspirators, simply retained the victim's money, paid ostensibly as an escrow, and distributed it among themselves.

**D. OVERT ACTS**

7. In furtherance of the conspiracy and to effect the objects of the conspiracy, defendant and his co-conspirators committed and caused the following overt acts:

a. On or about July 27, 2012, defendant registered CIA as a business with the Missouri Secretary of State.

b. On or about July 27, 2012, defendant opened a mailbox (#257) at a UPS store at 1243 Water Tower Place, Arnold, Missouri.

c. On or about July 11, 2012, J.H. created an email address: finance@ciaonlineservices.com.

d. On or about July 31, 2012, defendant opened an account at First Bank in the name of CIA at 1243 Water Tower Pl., Suite 257, Arnold, Missouri.

e. On or about August 6, 2012, defendant opened an account at Line 2. Line 2 is a voice over IP service which provides a telephone number by which outgoing calls may be placed but incoming calls cannot be received. Rather, the service provides automatic forwarding to another telephone number.

f. On or about August 17, 2012, using the Line 2 service, and, presenting himself as a salesman with CIA, H.P. contacted victim P.L. and falsely stated that he represented a buyer willing to purchase P.L.'s timeshare.

g. On or about August 21, 2012, J.H., using the email address he created, emailed P.L. a sham sales agreement that falsely purported to be signed by an individual committed to buy P.L.'s timeshare. The sales agreement required an escrow deposit of \$2,175.

h. On or about August 21, 2012, P.L. mailed a personal check via U.S. Mail payable to CIA in the amount of \$2,175 from California to 1243 Water Tower Pl., Suite 257, Arnold, Missouri.

i. On or about August 27, 2012, defendant deposited the check payable to CIA mailed from P.L. into CIA's First Bank checking account.

j. On or about August 28, 2012, defendant cashed a check payable to himself in the amount of \$2,175 drawn off CIA's checking account at First Bank.

k. On or about August 28, 2012, defendant deposited the proceeds of the check into accounts controlled by J.H.

All in violation of, and punishable under, Title 18, United States Code, Section 1349.

A TRUE BILL.

---

FOREPERSON

CARRIE COSTANTIN  
Acting United States Attorney

---

JOHN J. WARE, #40880MO  
Assistant United States Attorney